

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Case No. 23-cv-81141-MIDDLEBROOKS

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

PREIPO CORP., JOHN A.  
MATTERA and DAVID P. GRZAN;

Defendants, and

BOSS GLOBAL ADVISORY  
GROUP, INC.,

Relief Defendants.

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**STIPULATION TO TURNOVER RECEIVER'S DISTRIBUTION FUNDS AND  
TERMINATE ASSET FREEZE**

Plaintiff, Securities and Exchange Commission ("SEC" or "Commission"), by its undersigned counsel, Michael J. Roessner, and defendant, David P. Grzan, ("Grzan") by his attorney Fred Schwartz, (collectively, the "Parties"), submit the following Stipulation:

1. On August 14, 2023, the Commission filed its Complaint against Defendants PreIPO Corp., John A. Mattera ("Mattera") and Grzan, (collectively "Defendants") and Relief Defendant Boss Global Advisory Group, Inc., ("Relief Defendant") charging Defendants with violating the antifraud and securities registration provisions of the federal securities laws. Dkt. No. 1.
2. On August 15, 2023, the Court entered a Temporary Restraining Order and Asset Freeze over the Defendants and the Relief Defendant. Dkt. No. 10. On October 17, 2023, the

Court entered an Order granting a preliminary injunction and extending the asset freeze. (“Asset Freeze Order”). Dkt. No. 69.

3. On October 17, 2024, the Court entered Final Judgment against Grzan ordering him to disgorge \$292,695 together with prejudgment interest of \$19,685.72 and civil penalty of \$292,695 (“Final Judgment”). Dkt. 106. Due to the accrual of post-judgment interest, as of August 11, 2025, Grzan owes disgorgement and prejudgment interest of \$323,172.01 and \$302,806.24 towards the civil penalty.

4. Melanie L. Cyganowski, Esq., in her capacity as Receiver of StraightPath Venture Partners LLC and affiliates (the “Receiver” and the “Receivership Entities”, respectively) is holding \$31,475.57 (the “Distribution Funds”) in potential distributions on account of certain interests held by Grzan in one or more of the Receivership Entities. The Receiver has advised that based on the Asset Freeze Order and the Final Judgment, she will not distribute the Distribution Funds to any party except in accordance with a final and non-appealable Court order or the written agreement of the United States Securities and Exchange Commission and Mr. David P. Grzan.

5. Accordingly, consistent with this Stipulation, the SEC and Grzan request that the Court enter an order requiring the Receiver to turnover 75% of the Distribution Funds to the SEC to partially satisfy the Final Judgment entered against Grzan, in the amount of \$23,606.68.

6. The remaining 25% of the Distribution Funds held by the Receiver, specifically \$7,868.89, shall be turned over to Mr. Grzan, care of Mr. Grzan’s attorney, Mr. Schwartz’s law firm’s trust account, to be utilized for Grzan’s basic living expenses and necessities.

7. The parties further request that the Asset Freeze Order entered in this matter be terminated as to Grzan only, and only upon the Commission's receipt of the \$23,606.68 from the Receiver. The Commission will notify the Court upon its receipt.

8. A proposed Order is attached.

Jointly Stipulated

Dated: August 15, 2025

<u>s/MICHAEL J. ROESSNER</u> MICHAEL J. ROESSNER Acting Supervisory Trial Counsel Division of Enforcement United States Securities and Exchange Commission 100 F Street, NE Mail Stop 5607 Washington, DC 20549-0022 RoessnerM@SEC.gov (202) 551-4347 (Phone) (703) 813-9366 (Fax)  <i>Attorney for Plaintiff/Judgment Creditor United States Securities and Exchange Commission</i>	<u>s/FRED A. SCHWARTZ</u> Fred A. Schwartz <b>FRED A. SCHWARTZ, Esq.</b> <b>PARTNER</b> <b>SHAHADY &amp; WURTENBERGER, P.A.</b> 200 East Palmetto Park Road Suite Boca Raton, FL 33432 Office: 561-910-3064 Cell: 561-504-8534 Email: <a href="mailto:fschwartz@swlawyers.law">fschwartz@swlawyers.law</a>  <i>Attorney for Defendant, David P. Grzan</i>
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